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RONALD A. KATZ TECHNOLOGY LICENSING, L.P.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

In Re KATZ INTERACTIVE CALL  
PROCESSING LITIGATION

Case No. 07-ML-1816-B-RGK (FFMx)

Case No. CV 07-2196 RGK (FFMx)

This document relates to:

**RONALD A. KATZ TECHNOLOGY  
LICENSING L.P.**

**PLAINTIFF RONALD A. KATZ  
TECHNOLOGY LICENSING,  
L.P.'S FIRST AMENDED  
COMPLAINT FOR PATENT  
INFRINGEMENT**

Plaintiff,

V.

**AMERICAN AIRLINES, INC., et al.**

## **Honorable R. Gary Klausner**

Discovery Cutoff: April 14, 2008

### Defendants

1 Plaintiff, Ronald A. Katz Technology Licensing, L.P. ("Katz Technology  
2 Licensing"), by counsel, alleges as follows:  
3

4 **THE PARTIES**

5 1. Plaintiff Katz Technology Licensing is a limited partnership organized  
6 under the laws of the State of California, and having a principal place of business at  
7 9220 Sunset Blvd. #315, Los Angeles, California 90069.

8 2. On information and belief, Defendant American Airlines, Inc. is a  
9 corporation organized under the laws of the State of Delaware, and having a  
10 principal place of business at 4333 Amon Carter Blvd., Fort Worth, Texas 76155.

11 3. On information and belief, Defendant American Beacon Advisors, Inc.  
12 is a corporation organized under the laws of the State of Delaware, and having a  
13 principal place of business at 4151 Amon Carter Blvd., MD 2450, Fort Worth,  
14 Texas 76155.

15 4. On information and belief, Defendant Fedex Corporation is a  
16 corporation organized under the laws of the State of Delaware, and having a  
17 principal place of business at 942 South Shady Grove Road, Memphis, Tennessee  
18 38120.

19 5. On information and belief, Defendant Federal Express Corporation is a  
20 corporation organized under the laws of the State of Delaware, and having a  
21

1 principal place of business at 942 South Shady Grove Road, Memphis, Tennessee  
2 38120.  
3

4 6. On information and belief, Defendant FedEx Corporate Services, Inc.,  
5 is a corporation organized under the laws of the State of Delaware, and having a  
6 principal place of business at 3610 Hacks Cross Road, Memphis, Tennessee 38125.  
7

8 7. On information and belief, Defendant Fedex Customer Information  
9 Services, Inc. is a corporation organized under the laws of the State of Delaware,  
10 and having a principal place of business at 3610 Hacks Cross Road, Memphis,  
11 Tennessee 38125.

12 8. On information and belief, Defendant National Railroad Passenger  
13 Corporation is a corporation organized under the laws of the District of Columbia,  
14 and having a principal place of business at 60 Massachusetts Ave. NE, Washington,  
15 DC 20002.  
16  
17

18  
19 **JURISDICTION AND VENUE**

20 9. This is a civil action for patent infringement arising under the United  
21 States patent statutes, 35 U.S.C. § 1 *et seq.*  
22

23 10. The United States District Court for the Eastern District of Texas (“the  
24 Texas Court”) has jurisdiction over the subject matter of this action under 28 U.S.C.  
25 §§ 1331 and 1338(a).  
26  
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28

1       11. American Airlines, Inc., and American Beacon Advisors, Inc.  
2 (collectively, the “American Airlines Defendants”) are each subject to the Texas  
3 Court’s personal jurisdiction because they each do and have done substantial  
4 business in the Eastern District of Texas, including: (i) operating infringing  
5 automated telephone call processing systems, including without limitation the  
6 American Airlines reservations and ticketing, American Airlines AAdvantage and  
7 American Beacon Funds brokerage services systems that allow their customers,  
8 including customers within the State of Texas and in the Eastern District of Texas,  
9 to perform reserving, ticketing, purchasing, ordering, verification, confirmation and  
10 funding functions over the telephone; and/or (ii) regularly doing or soliciting  
11 business, engaging in other persistent courses of conduct, and/or deriving  
12 substantial revenue from services provided to individuals in the State of Texas and  
13 in the Eastern District of Texas. In addition, the American Airlines Defendants  
14 have designated an agent for service of process in the State of Texas.  
15  
16

17       12. FedEx Corporation, Federal Express Corporation, FedEx Corporate  
18 Services, Inc., and FedEx Customer Information Services, Inc. (collectively the  
19 “FedEx Defendants”) are subject to the Texas Court’s personal jurisdiction because  
20 they do and have done substantial business in the Eastern District of Texas,  
21 including: (i) operating infringing automated telephone call processing systems,  
22 including without limitation the FedEx customer service and revenue service  
23 systems, that allow their customers, including customers within the State of Texas  
24  
25

1 and in the Eastern District of Texas, to perform purchasing, ordering, parcel-  
2 tracking, delivering, receiving, confirmation and other functions over the telephone;  
3 and (ii) regularly doing or soliciting business, engaging in other persistent courses  
4 of conduct, and/or deriving substantial revenue from goods and services provided to  
5 individuals in the State of Texas and in the Eastern District of Texas. In addition,  
6 the FedEx Defendants have designated an agent for service of process in the State  
7 of Texas.

10       13. National Railroad Passenger Corporation (“Amtrak”) is subject to the  
11 Texas Court’s personal jurisdiction because it does and has done substantial  
12 business in the Eastern District of Texas, including: (i) operating infringing  
13 automated telephone call processing systems, including without limitation the  
14 Amtrak reservations and guest rewards service systems, that allow their customers,  
15 including customers within the State of Texas and in the Eastern District of Texas,  
16 to perform reserving, purchasing, rewards, confirmation, verification and other  
17 functions over the telephone; and (ii) regularly doing or soliciting business,  
18 engaging in other persistent courses of conduct, and/or deriving substantial revenue  
19 from goods and services provided to individuals in the State of Texas and in the  
20 Eastern District of Texas.

25       14. Venue is proper in the Eastern District of Texas under 28 U.S.C. §§  
26 1391(b)-(c) and 1400(b). This case is before this Court pursuant to the Transfer  
27  
28

1 Order dated March 20, 2007, *In re Katz Interactive Call Processing Patent Litig.*,  
2 Docket No. 1816.  
3

4 **BACKGROUND FACTS**

5 15. Ronald A. Katz (“Mr. Katz”), founder of Katz Technology Licensing,  
6 is the sole inventor of each of the patents in suit. Mr. Katz has been widely  
7 recognized as one of the most prolific and successful inventors of our time, and his  
8 inventions over the last forty-plus years have been utilized by literally millions of  
9 people.  
10

12 16. In 1961, Mr. Katz co-founded Telecredit Inc. (“Telecredit”), the first  
13 company to provide online, real-time credit authorization, allowing merchants to  
14 verify checks over the telephone. Further innovations from Telecredit include the  
15 first online, real-time, point-of-sale credit verification terminal, which enabled  
16 merchants to verify checks without requiring the assistance of a live operator, and  
17 the first device that used and updated magnetically-encoded cards in automated  
18 teller machines. Multiple patents issued from these innovations, including patents  
19 co-invented by Mr. Katz.  
20

23 17. Telecredit was eventually acquired by Equifax, and has now been spun  
24 off as Certegy, a public company traded on the New York Stock Exchange.  
25 Certegy continues to provide services in the credit and check verification field  
26 established by Mr. Katz and Telecredit.  
27

1       18. Mr. Katz's inventions have not been limited to telephonic check  
2 verification. Indeed, Mr. Katz is responsible for advancements in many fields of  
3 technology. Among his most prominent and well-known innovations are those in  
4 the field of interactive call processing. Mr. Katz's inventions in that field are  
5 directed to the integration of telephonic systems with computer databases and live  
6 operator call centers to provide interactive call processing services.  
7  
8

9       19. The first of Mr. Katz's interactive call processing patents issued on  
10 December 20, 1988. More than fifty U.S. patents have issued to Mr. Katz for his  
11 inventions in the interactive call processing field, including each of the patents-in-  
12 suit.  
13

14       20. In 1988, Mr. Katz partnered with American Express to establish FDR  
15 Interactive Technologies, later renamed Call Interactive, to provide interactive call  
16 processing services based on Mr. Katz's inventions. The American Express  
17 business unit involved in this joint venture later became known as First Data.  
18  
19

20       21. Early clients of Call Interactive included *The New York Times*, ABC's  
21 *Monday Night Football*, KABC Radio, CBS News, and Beatrice Foods (Hunt-  
22 Wesson division).  
23

24       22. Many of these clients utilized Call Interactive technology for high-  
25 profile events. For example, CBS News hired Call Interactive to operate an  
26 interactive, real-time telephone poll to gauge viewer reaction to President George  
27 H.W. Bush's 1992 State of the Union address.  
28

1       23. Mr. Katz sold his interest in Call Interactive to American Express in  
2       1989 but continued to provide advisory services to Call Interactive until 1992.  
3       American Express later spun off the First Data business unit into a separate  
4       corporation, and with that new entity went Mr. Katz's interactive call processing  
5       patents and the Call Interactive call processing business. The former Call  
6       Interactive, now known as First Data Voice Services, continues to provide call  
7       processing solutions today.

8       10      24. In 1994, Mr. Katz formed Katz Technology Licensing, which acquired  
9       11       the rights to the entire interactive call processing patent portfolio, including the  
10       12       rights to each of the patents-in-suit, from First Data, the owner of all of the Katz  
11       13       interactive call processing patents at that time.

12       16      25. The marketplace has clearly recognized the value of Mr. Katz's  
13       17       inventions. Indeed, over 200 companies, including in some instances direct  
14       18       competitors of the defendants, have licensed the patents-in-suit. Licensees include  
15       19       IBM, Hewlett-Packard, Bank of America, JPMorgan Chase, Wells Fargo, HSBC,  
16       20       AT&T, Verizon, Sprint, Microsoft, Delta Airlines, Merck, Sears, and Home  
17       21       Shopping Network. These licensees and others acknowledge the applicability of  
18       22       the patents-in-suit to multiple fields of use, including but not limited to financial  
19       23       services call processing, automated securities transactions, automated credit card  
20       24       authorization services, automated wireless telecommunication services and support,  
21       25       automated health care services, and product and service support.

26. Each of the defendants employs the inventions of certain of the  
patents-in-suit. Katz Technology Licensing, through its licensing arm A2D, L.P.,  
has repeatedly attempted to engage the defendants in licensing negotiations, but to  
date, none of the defendants have agreed to take a license to any of the patents-in-  
suit.

## **THE PATENTS-IN-SUIT**

27. On December 20, 1988, the United States Patent and Trademark Office duly and legally issued United States Patent No. 4,792,968 (“the ‘968 Patent”), entitled “Statistical Analysis System For Use With Public Communication Facility,” to Ronald A. Katz, sole inventor. The ‘968 Patent expired on December 20, 2005.

28. On May 29, 1990, the United States Patent and Trademark Office duly and legally issued United States Patent No. 4,930,150 (“the ‘150 Patent”), entitled “Telephonic Interface Control System,” to Ronald A. Katz, sole inventor. The ‘150 Patent expired on December 20, 2005.

29. On July 7, 1992, the United States Patent and Trademark Office duly  
and legally issued United States Patent No. 5,128,984 (“the ‘984 Patent”), entitled  
“Telephone Interface Call Processing System With Call Selectivity,” to Ronald A.  
Katz, sole inventor.

30. On October 5, 1993, the United States Patent and Trademark Office duly and legally issued United States Patent No. 5,251,252 ("the '252 Patent").

1 entitled “Telephone Interface Call Processing System With Call Selectivity,” to  
2 Ronald A. Katz, sole inventor.  
3

4 31. On September 27, 1994, the United States Patent and Trademark  
5 Office duly and legally issued United States Patent No. 5,351,285 (“the ‘285  
6 Patent”), entitled “Multiple Format Telephonic Interface Control System,” to  
7 Ronald A. Katz, sole inventor. The ‘285 Patent expired on December 20, 2005.  
8

9 32. On November 4, 1997, the United States Patent and Trademark Office  
10 duly and legally issued United States Patent No. 5,684,863 (“the ‘863 Patent”),  
11 entitled “Telephonic-Interface Statistical Analysis System,” to Ronald A. Katz, sole  
12 inventor. The ‘863 Patent expired on December 20, 2005.  
13

14 33. On July 28, 1998, the United States Patent and Trademark Office duly  
15 and legally issued United States Patent No. 5,787,156 (“the ‘156 Patent”), entitled  
16 “Telephonic-Interface Lottery System,” to Ronald A. Katz, sole inventor. The ‘156  
17 Patent expired on December 20, 2005.  
18

19 34. On September 29, 1998, the United States Patent and Trademark  
20 Office duly and legally issued United States Patent No. 5,815,551 (“the ‘551  
21 Patent”), entitled “Telephonic-Interface Statistical Analysis System,” to Ronald A.  
22 Katz, sole inventor. The ‘551 Patent expired on December 20, 2005.  
23

24 35. On October 27, 1998, the United States Patent and Trademark Office  
25 duly and legally issued United States Patent No. 5,828,734 (“the ‘734 Patent”),  
26  
27

1 entitled "Telephone Interface Call Processing System With Call Selectivity," to  
2 Ronald A. Katz, sole inventor.  
3

4 36. On April 27, 1999, the United States Patent and Trademark Office  
5 duly and legally issued United States Patent No. 5,898,762 ("the '762 Patent"),  
6 entitled "Telephonic-Interface Statistical Analysis System," to Ronald A. Katz, sole  
7 inventor. The '762 Patent expired on December 20, 2005.  
8

9 37. On June 29, 1999, the United States Patent and Trademark Office duly  
10 and legally issued United States Patent No. 5,917,893 ("the '893 Patent"), entitled  
11 "Multiple Format Telephonic Interface Control System," to Ronald A. Katz, sole  
12 inventor. The '893 Patent expired on December 20, 2005.  
13

14 38. On October 26, 1999, the United States Patent and Trademark Office  
15 duly and legally issued United States Patent No. 5,974,120 ("the '120 Patent"),  
16 entitled "Telephone Interface Call Processing System With Call Selectivity," to  
17 Ronald A. Katz, sole inventor.  
18

19 39. On March 28, 2000, the United States Patent and Trademark Office  
20 duly and legally issued United States Patent No. 6,044,135 ("the '135 Patent"),  
21 entitled "Telephone-Interface Lottery System," to Ronald A. Katz, sole inventor.  
22 The '135 Patent expired on July 10, 2005.  
23

24 40. On November 14, 2000, the United States Patent and Trademark  
25 Office duly and legally issued United States Patent No. 6,148,065 ("the '065  
26

27

1 Patent”), entitled “Telephonic-Interface Statistical Analysis System,” to Ronald A.  
2 Katz, sole inventor. The ‘065 Patent expired on July 10, 2005.  
3

4 41. On January 1, 2002, the United States Patent and Trademark Office  
5 duly and legally issued United States Patent No. 6,335,965 (“the ‘965 Patent”),  
6 entitled “Voice-Data Telephonic Interface Control System,” to Ronald A. Katz, sole  
7 inventor. The ‘965 Patent expired on December 20, 2005.  
8

9 42. On February 19, 2002, the United States Patent and Trademark Office  
10 duly and legally issued United States Patent No. 6,349,134 (“the ‘134 Patent”),  
11 entitled “Telephonic-Interface Statistical Analysis System,” to Ronald A. Katz, sole  
12 inventor. The ‘134 Patent expired on December 20, 2005.  
13

14 43. On July 23, 2002, the United States Patent and Trademark Office duly  
15 and legally issued United States Patent No. 6,424,703 (“the ‘703 Patent”), entitled  
16 “Telephonic-Interface Lottery System,” to Ronald A. Katz, sole inventor. The ‘703  
17 Patent expired on July 10, 2005.  
18

20 44. On August 13, 2002, the United States Patent and Trademark Office  
21 duly and legally issued United States Patent No. 6,434,223 (“the ‘223 Patent”),  
22 entitled “Telephone Interface Call Processing System With Call Selectivity,” to  
23 Ronald A. Katz, sole inventor. The ‘223 Patent expired on July 10, 2005.  
24

25 45. On January 28, 2003, the United States Patent and Trademark Office  
26 duly and legally issued United States Patent No. 6,512,415 (“the ‘415 Patent”),  
27  
28

1 entitled “Telephonic-Interface Game Control System,” to Ronald A. Katz, sole  
2 inventor. The ‘415 Patent expired on July 10, 2005.  
3

4 46. On January 13, 2004, the United States Patent and Trademark Office  
5 duly and legally issued United States Patent No. 6,678,360 (“the ‘360 Patent”),  
6 entitled “Telephonic-Interface Statistical Analysis System,” to Ronald A. Katz, sole  
7 inventor. The ‘360 Patent expired on July 10, 2005.  
8

9 47. On October 19, 1993, the United States Patent and Trademark Office  
10 duly and legally issued United States Patent No. 5,255,309 (“the ‘309 Patent”),  
11 entitled “Telephonic-interface statistical analysis system,” to Ronald A. Katz, sole  
12 inventor. The ‘309 Patent expired on [December 20, 2005](#).  
13

14 48. On October 1, 1996, the United States Patent and Trademark Office  
15 duly and legally issued United States Patent No. 5,561,707 (“the ‘707 Patent”),  
16 entitled “Telephonic-interface statistical analysis system,” to Ronald A. Katz, sole  
17 inventor. The ‘707 Patent expired on [December 20, 2005](#).  
18

19 49. On September 18, 2001, the United States Patent and Trademark  
20 Office duly and legally issued United States Patent No. 6,292,547 (“the ‘547  
21 Patent”), entitled “Telephonic-interface statistical analysis system,” to Ronald A.  
22 Katz, sole inventor. The ‘547 Patent expired on [July 10, 2005](#).  
23

24 50. On November 10, 1998, the United States Patent and Trademark  
25 Office duly and legally issued United States Patent No. 5,835,576 (“the ‘576  
26 Patent”), entitled “Telephonic-interface statistical analysis system,” to Ronald A.  
27 Katz, sole inventor. The ‘576 Patent expired on [July 10, 2005](#).  
28

1 Patent”), entitled “Telephonic-interface lottery device,” to Ronald A. Katz, sole  
2 inventor. The ‘576 Patent expired on [July 10, 2005](#).  
3

4 **COUNT I**

5 **(PATENT INFRINGEMENT BY AMERICAN AIRLINES, INC. AND  
6 AMERICAN BEACON ADVISORS, INC.)**

7 51. Katz Technology Licensing realleges and incorporates by reference  
8 paragraphs 1-50 of this Complaint as if fully set forth herein.

9 52. Katz Technology Licensing is the sole holder of the entire right, title,  
10 and interest in the ‘551, ‘065, ‘360, ‘762, ‘863, ‘150, ‘285, ‘893, ‘984, ‘734, ‘120,  
11 ‘223, ‘965, ‘135, ‘156, ‘968, ‘576, ‘415, ‘252, ‘134, ‘703, ‘707, and ‘547 Patents.  
12

13 53. On information and belief, the American Airlines Defendants operate  
14 automated telephone systems, including without limitation the American Airlines  
15 reservations and ticketing, American Airlines AAdvantage and American Beacon  
16 Funds brokerage services systems that allow their customers to perform reserving,  
17 ticketing, purchasing, ordering, verification, confirmation and funding functions  
18 over the telephone.  
19

20 54. The American Airlines Defendants have directly and contributorily  
21 infringed, and induced others to infringe, one or more claims of each of the patents  
22 identified in paragraph 52 of this Complaint by making, using, offering to sell,  
23 and/or selling within the United States automated telephone systems, including  
24

1 without limitation the American Airlines reservations and ticketing, American  
2 Airlines AAdvantage and American Beacon Funds brokerage services systems.  
3

4 55. The American Airlines Defendants continue to infringe, contributorily  
5 infringe, and induce others to infringe the '252, '984, '734 and '120 Patents.  
6

7 56. The American Airlines Defendants' infringement of the patents  
8 identified in paragraph 52 of this Complaint has been willful.  
9

10 57. Katz Technology Licensing has been, and continues to be, damaged  
11 and irreparably harmed by the American Airlines Defendants' infringement, which  
12 will continue unless the American Airlines defendants are enjoined by this Court  
13 and/or the Texas Court.  
14

15 **COUNT II**

16 **(PATENT INFRINGEMENT BY FEDEX CORPORATION, FEDERAL  
17 EXPRESS CORPORATION, FEDEX CORPORATE SERVICES, INC., AND  
18 FEDEX CUSTOMER INFORMATION SERVICES, INC.)**

19 58. Katz Technology Licensing realleges and incorporates by reference  
20 paragraphs 1-57 as if fully set forth herein.  
21

22 59. Katz Technology Licensing is the sole holder of the entire right, title,  
23 and interest in the '968, '551, '065, '360, '762, '863, '134, '150, '285, '893, '734,  
24 '120, '223, '965, '703, '415, '576, '156, '135, '984, '252, '309, '707, and '547  
25 Patents.  
26  
27  
28

60. On information and belief, the FedEx Defendants operate automated telephone systems, including without limitation the FedEx customer service and revenue service systems that allow their customers to perform purchasing, ordering, parcel-tracking, delivering, receiving, confirmation and other functions over the telephone.

61. The FedEx Defendants have directly and contributorily infringed, and induced others to infringe, one or more claims of each of the patents identified in paragraph 59 of this Complaint by making, using, offering to sell, and/or selling within the United States automated telephone systems, including without limitation the FedEx customer service and revenue service systems.

62. The FedEx Defendants continue to infringe, contributorily infringe, and induce others to infringe the ‘252, ‘984, ‘734 and ‘120 Patents.

63. The FedEx Defendants' infringement of the patents identified in paragraph 59 of this Complaint has been willful.

64. Katz Technology Licensing has been, and continues to be, damaged and irreparably harmed by the FedEx Defendants' infringement, which will continue unless the FedEx Defendants are enjoined by this Court and/or the Texas Court.

**COUNT III**  
**(PATENT INFRINGEMENT BY NATIONAL RAILROAD PASSENGER  
CORPORATION DBA AMTRAK)**

1       65. Katz Technology Licensing realleges and incorporates by reference  
2 paragraphs 1-64 as if fully set forth herein.  
3

4       66. Katz Technology Licensing is the sole holder of the entire right, title,  
5 and interest in the '968, '551, '065, '360, '863, '150, '285, '893, '120, '965, '703,  
6 '156, '135, '984, '252, '576, '762, '134, '223, '415, '707, and '547 Patents.  
7

8       67. On information and belief, Amtrak operates automated telephone  
9 systems, including without limitation the Amtrak reservations and guest rewards  
10 service systems that allow its customers to perform reserving, purchasing, rewards,  
11 confirmation, verification and other functions over the telephone  
12

13       68. Amtrak has directly and contributorily infringed, and induced others to  
14 infringe, one or more claims of each of the patents identified in paragraph 66 of this  
15 Complaint by making, using, offering to sell, and/or selling within the United States  
16 automated telephone systems, including without limitation the Amtrak reservations  
17 and guest rewards service systems.  
18

19       69. Amtrak continues to infringe, contributorily infringe, and induce  
20 others to infringe the '252, '984 and '120 Patent.  
21

22       70. Amtrak's infringement of the patents identified in paragraph 66 of this  
23 Complaint has been willful.  
24

25       71. Katz Technology Licensing has been, and continues to be, damaged  
26 and irreparably harmed by Amtrak's infringement, which will continue unless  
27 Amtrak is enjoined by this Court and/or the Texas Court.  
28

## **REQUEST FOR RELIEF**

WHEREFORE, Plaintiff Katz Technology Licensing respectfully requests the following relief:

A. A judgment holding the American Airline Defendants liable for infringement of the patents identified in paragraph 52 of this Complaint;

B. A permanent injunction against the American Airlines Defendants, their officers, agents, servants, employees, attorneys, parent and subsidiary corporations, assigns and successors in interest, and those persons in active concert or participation with them, enjoining them from continued acts of infringement of the ‘252, ‘984, ‘734 and ‘120 Patents:

C. An accounting for damages resulting from the American Airlines Defendants' infringement of the patents identified in paragraph 52 of this Complaint, together with pre-judgment and post-judgment interest;

D. A judgment holding that the American Airlines Defendants' infringement of the patents identified in paragraph 52 of this Complaint is willful, and a trebling of damages pursuant to 35 U.S.C. § 284;

E. A judgment holding the FedEx Defendants liable for infringement of the patents identified in paragraph 59 of this Complaint;

F. A permanent injunction against the FedEx Defendants, their officers, agents, servants, employees, attorneys, parent and subsidiary corporations, assigns and successors in interest, and those persons in active concert or participation with

1 them, enjoining them from continued acts of infringement of the '252, '984, '734  
2 and '120 Patents;

3       G. An accounting for damages resulting from the FedEx Defendants'  
4 infringement of the patents identified in paragraph 59 of this Complaint, together  
5 with pre-judgment and post-judgment interest;

6       H. A judgment holding that the FedEx Defendants' infringement of the  
7 patents identified in paragraph 59 of this Complaint is willful, and a trebling of  
8 damages pursuant to 35 U.S.C. § 284;

9       I. A judgment holding Amtrak liable for infringement of the patents  
10 identified in paragraph 66 of this Complaint;

11      J. A permanent injunction against Amtrak, its officers, agents, servants,  
12 employees, attorneys, parent and subsidiary corporations, assigns and successors in  
13 interest, and those persons in active concert or participation with them, enjoining  
14 them from continued acts of infringement of the '252, '984 and '120 Patents;

15      K. An accounting for damages resulting from Amtrak's infringement of  
16 the patents identified in paragraph 66 of this Complaint, together with pre-judgment  
17 and post-judgment interest;

18      L. A judgment holding that Amtrak's infringement of the patents  
19 identified in paragraph 66 of this Complaint is willful, and a trebling of damages  
20 pursuant to 35 U.S.C. § 284;

21      M. A judgment holding this Action an exceptional case, and an award to

1 Plaintiff Katz Technology Licensing for its attorneys' fees and costs pursuant to 35  
2 U.S.C. § 285; and  
3

4 N. Such other relief as this Court and/or the Texas Court deem just and  
5 equitable.  
6  
7

8 Dated: November 8, 2007

9 Respectfully submitted,  
10  
11 COOLEY GODWARD KRONISH LLP  
12 STEPHEN C. NEAL (CA BAR NO. 170085)  
13 FRANK V. PIETRANTONIO (pro hac vice)  
14 JONATHAN G. GRAVES (pro hac vice)  
15 KENT M. WALKER (CA BAR NO. 173700)  
16 NATHAN K. CUMMINGS (pro hac vice)  
17  
18 /s/ *Nathan K. Cummings*  
19 Nathan K. Cummings (pro hac vice)  
20  
21 Attorneys for Plaintiff  
22 RONALD A. KATZ TECHNOLOGY  
23 LICENSING, L.P.  
24  
25  
26  
27  
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1  
2                   **DEMAND FOR JURY TRIAL**  
3

4                   Pursuant to Federal Rule of Civil Procedure 38, Plaintiff Ronald A. Katz  
5  
6                   Technology Licensing, L.P. hereby demands trial by jury.  
7

8                   Dated: November 8, 2007  
9

10                  Respectfully submitted,  
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12                  COOLEY GODWARD KRONISH LLP  
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